



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0587

Introduced 2/6/2009, by Rep. Mike Bost

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-10-2 from Ch. 24, par. 11-10-2
70 ILCS 705/11i new
30 ILCS 805/8.33 new

Amends the Illinois Municipal Code. Provides that a fire department foreign fire insurance board in a municipality with fewer than 500,000 (now, 250,000) inhabitants shall have 7 trustees, including the fire chief and 6 members of the fire department (now, the Board is established by ordinances of the corporate authorities). Provides for an annual election of board officers. Provides that the annual municipal audit shall include funds appropriated to the board and shall determine whether the funds have been expended by the board only for the maintenance, use, and benefit of the department. Amends the Fire Protection District Act. Provides that in each fire protection district that has an organized fire department there shall be a foreign fire insurance board. Provides that the board shall have 7 trustees, including the fire chief and 6 members of the fire department. Provides that officers shall be elected annually. Authorizes the board to make rules. Provides that the treasurer must give a bond to the board. Provides that the board shall develop and maintain a list of items that are appropriate expenditures. Provides that the annual fire protection district audit shall include funds appropriated to the board and shall determine whether the funds have been expended by the board only for the maintenance, use, and benefit of the department. Makes other changes. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB096 03388 RLJ 13411 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Municipal Code is amended by
5 changing Section 11-10-2 as follows:

6 (65 ILCS 5/11-10-2) (from Ch. 24, par. 11-10-2)

7 Sec. 11-10-2. A department foreign fire insurance board
8 shall be created within the fire department of each
9 municipality with fewer ~~The corporate authorities of any~~
10 ~~municipality containing less than 500,000 250,000 inhabitants~~
11 that which has an organized fire department. The board shall
12 consist of 7 trustees; the fire chief, who shall hold office by
13 virtue of rank, and 6 members, who shall be elected at large by
14 the sworn members of the department. If there is an
15 insufficient number of candidates to fill all these positions,
16 the number of board members may be reduced, but not to fewer
17 than 3 trustees shall pass an ordinance providing for the
18 ~~election of officers of the department foreign fire insurance~~
19 ~~board by the members of the department.~~ All members of the
20 department shall be eligible to be elected as officers of the
21 department foreign fire insurance board. The members of this
22 board shall annually elect officers. These officers shall be a
23 chairman and include a treasurer. The trustees of the

1 department foreign fire insurance board ~~, and they~~ shall make
2 all needful rules and regulations with respect to the
3 department foreign fire insurance board and the management of
4 the money to be appropriated to the board. The officers of the
5 department foreign fire insurance board shall develop and
6 maintain a listing of those items that the board feels are
7 appropriate expenditures under this Act. The treasurer of the
8 department foreign fire insurance board shall give a sufficient
9 bond to the municipality in which the fire department is
10 organized. This bond shall be approved by the mayor or
11 president, as the case may be, conditioned upon the faithful
12 performance by the treasurer of his or her duties under the
13 ordinance and the rules and regulations provided for in this
14 section. The treasurer of the department foreign fire insurance
15 board shall receive the appropriated money and shall pay out
16 the money upon the order of the department foreign fire
17 insurance board for the maintenance, use, and benefit of the
18 department. As part of the annual municipal audit, these funds
19 shall be audited to verify that the funds have been properly
20 appropriated to and held by the department foreign fire
21 insurance board and have been expended by that board only ~~these~~
22 ~~purchases are~~ for the maintenance, use, and benefit of the
23 department.

24 The provisions of this Section shall be the exclusive power
25 of the State, pursuant to subsection (h) of Section 6 of
26 Article VII of the Constitution.

1 (Source: P.A. 95-807, eff. 8-12-08.)

2 Section 10. The Fire Protection District Act is amended by
3 adding Section 11i as follows:

4 (70 ILCS 705/11i new)

5 Sec. 11i. Department foreign fire insurance board.

6 (a) A department foreign fire insurance board shall exist
7 within the fire department of each fire protection district
8 that has an organized fire department.

9 (b) The board shall consist of 7 trustees; the fire chief,
10 who shall hold office by virtue of rank, and 6 members, who
11 shall be elected at large by the sworn members of the
12 department. If there are an insufficient number of candidates
13 to fill all these positions, the number of board members may be
14 reduced, but not to fewer than 3 trustees. All sworn members of
15 the department shall be eligible to vote for and be elected as
16 officers of the board.

17 (c) The members of the board shall annually elect officers.
18 These officers shall be a chairman and a treasurer.

19 (d) The trustees of the board shall make rules with respect
20 to the board and the management of the money to be appropriated
21 to the board.

22 (e) The treasurer of the board shall give a sufficient bond
23 to the board of trustees of the fire protection district,
24 conditioned upon the faithful performance by the treasurer of

1 his or her duties under this Section. This bond must be
2 approved by the board of trustees of the fire protection
3 district.

4 (f) The officers of the department foreign fire insurance
5 board shall develop and maintain a listing of those items that
6 the board feels are appropriate expenditures under this
7 Section. The officers shall make rules concerning the board and
8 the management of the money appropriated to the board.

9 (g) All of the money paid to the secretary of the fire
10 protection district under Section 11-10-1 of the Illinois
11 Municipal Code (65 ILCS 5/11-10-1) shall be set apart and shall
12 be appropriated annually by the board of trustees of the fire
13 protection district to the department foreign fire insurance
14 board.

15 (h) The treasurer of the department foreign fire insurance
16 board shall receive the appropriated money and shall pay out
17 the money upon the order of the board for the maintenance, use,
18 and benefit of the department. As part of the fire protection
19 district's annual audit, these funds shall be audited to verify
20 that the funds have been properly appropriated to and held by
21 the board and have been expended by the board only for the
22 maintenance, use, and benefit of the department.

23 Section 90. The State Mandates Act is amended by adding
24 Section 8.33 as follows:

1 (30 ILCS 805/8.33 new)

2 Sec. 8.33. Exempt mandate. Notwithstanding Sections 6 and 8
3 of this Act, no reimbursement by the State is required for the
4 implementation of any mandate created by this amendatory Act of
5 the 96th General Assembly.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.